

AMENDED

APPLICATION FOR PERMIT

Serial No.

11875

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUN 13 1947
 Returned to applicant for correction NOV 6 1947
 Corrected application filed DEC 31 1947

The undersigned Constant Minerals Separation Process, Inc.

Name of applicant

of P. O. Box 1607, Reno, County of Washoe

State of Nevada, hereby make s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Underground (Benny Well)

Name of stream, lake, or other source

2. The amount of water applied for is 5.0 second-feet.

One second-foot equals 40 miners' inches

3. The water to be used for Placer mining and domestic

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 33, T. 34 N., R. 29 E., M.D.B.&M. Unsurveyed, or at

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
 a point from which the NE corner Section 2, T. 32 N., R. 29 E., bears S. 21° 54' E., 35,934 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) Description of land to be irrigated

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about _____ and end about _____, of each year.

Month

Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Place of use Sections 3, 4, 5 and 6, T. 33 N., R. 29 E., M.D.B.&M., also Secs. 31, 32, 33 and 34, Give location of place of use by legal subdivision. 34 N., R. 29 E.

(f) Point of return of water to stream

Describe in same manner as point of diversion.

(g) State number and kinds of animals to be watered

(h) Use will begin about Jan. 1 and end about Dec. 31, of each year.

Month

Month

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Water to be pumped from well and impounded in several reservoirs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water and conveyed by movable pipe lines to the placer ground to be worked.

5. Estimated cost of works \$2,500.00

6. Estimated time required to construct works 3 years

7. Remarks

For use of applicant

Constant Minerals Separation Process, Applicant.
Inc. By Maurice Constant, Pres.

Compared FND-AT

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 3.0 c.f.s. of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependant upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second.

Actual construction work shall begin on or before June 18, 1949

Proof of commencement of work shall be filed before July 18, 1949

Work must be prosecuted with reasonable diligence and be completed on or before June 18, 1951

Proof of completion of work shall be filed before July 18, 1951

Application of water to beneficial use shall be made on or before June 18, 1952. Proof of the application of water to beneficial use must be filed with State Engineer on or before July 18, 1952

Proof of commencement of work filed JUL 18 1949 WITNESS MY HAND AND SEAL this 10th day of September, 1948.

Proof of Completion of work filed JUN 10 1951

ALFRED MERRITT SMITH

State Engineer

By

HUGH A. SHAMRERGER - ALFRED SMITH